

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANTS : Prayaga and Shimkets  
ASSIGNEE : CuraGen Corporation  
SERIAL NUMBER : 09/494,585  
FILING DATE : January 31, 2000  
FOR : NOVEL FIBROBLAST GROWTH FACTOR AND NUCLEIC ACIDS ENCODING  
SAME

EXAMINER : Not Yet Assigned  
ART UNIT : Not Yet Assigned

Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- Information Disclosure Statement (3 pages);
- Modified Form 1449/PTO (1 page) in duplicate;
- Copies of Cited references: A1, B1, C1-C5; and
- Return Postcard

No fee is believed to be due. However, if any fees are to be assessed, the Commissioner is hereby authorized to charge the balance due to the undersigned's account, Deposit Account No. 50-0311, Reference No. 15966-557 (Cura-57). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

Respectfully submitted,

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**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

**U.S. Patent Documents:**

5,512,460 04/30/96 Nauro, et al.

**Foreign Patent Documents:**

JP 5301893 Nauro, et al. 11/16/93

**Other Prior Art – Non Patent Literature Documents:**

Naruo et al. JP5301893 English language listing and abstract from IBM Intellectual Property Network web site, URL <http://www.patents.ibm.com>

Koga, et al. (1999). "Characterization of a novel member of the FGF family, XFGF-20, in *Xenopus laevis*." *Biochem Biophys Res Commun* 261(3): 756-65.

Miyamoto, et al. (1993). "Molecular cloning of a novel cytokine cDNA encoding the ninth member of the fibroblast growth factor family, which has a unique secretion property." *Mol Cell Biol* 13(7): 4251-9.

Naruo, et al. (1993). "Novel secretory heparin-binding factors from human glioma cells (glia-activating factors) involved in glial cell growth. Purification and biological properties." *J Biol Chem* 268(4): 2857-64.

Santos-Ocampo, et al. (1996). "Expression and biological activity of mouse fibroblast growth factor-9." *J Biol Chem* 271(3): 1726-31.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the National Application;
- within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or
- before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

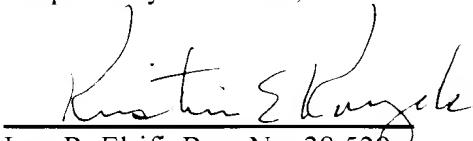
Reference B1, Nauro et al., JP5301893, provided herein, was downloaded from the Micropatent database (URL: <http://www.micropatent.com>). This document did not contain an official English translation of the abstract. Therefore, Applicants are enclosing herein as reference C1 the English language listing of the Nauro et al. JP5301893 abstract obtained from the IBM Intellectual Property Network web site (URL <http://www.patents.ibm.com>), without any representation that this is an accurate translation. To aid the Examiner, Applicants also enclose herein reference A1, Nauro et al., U.S. Patent No. 5,512,460, which claims priority to Nauro et al., JP5301893.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Prayaga and Shimkets**  
U.S.S.N.: **09/494,585**

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-557 (CURA-57)

Respectfully submitted,



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